

## IN THE CLAIMS

Please amend the claims as follows:

### Listing of Claims:

Claims 1-22 (Canceled).

23. (New) A method for performing a scheduling algorithm with minimum resource scheduling in a mobile communication system, comprising the steps of:

scheduling allocation units for a user or service in a scheduling frame,

checking whether the allocation units scheduled for a user or service in a particular scheduling frame meet at least one resource constraint, and

releasing the allocation units scheduled for a user or service for that particular scheduling frame based on the result of the checking step for the resource constraint.

24. (New) The method according to claim 23, wherein the scheduling step includes considering at least one of the following scheduling parameters channel condition, amount of data available for transmission to a specific user, quality of service, delay, data rate and carrier to interference ratio.

25. (New) The method according to claim 23, wherein the scheduling frame has at least one of a time division, frequency division or code division frame structure.

26. (New) The method according to claim 23, wherein at least one resource constraint is a user or service based requirement.

27. (New) The method according to claim 23, wherein at least one resource constraint is a scheduling frame based requirement.

28. (New) The method according to claim 23, wherein at least one resource constraint is defined based on a proportion of the available scheduling frame resources.

29. (New) The method according to claim 23, wherein at least one resource constraint is represented by a minimum number of scheduled allocation units for the user or service.

30. (New) The method according to claim 23, wherein the allocation units have a quantity of one of transmittable

information bits, internet protocol packets, code blocks or modulation symbols.

31. (New) The method according to claim 23, further comprising the step of checking whether at least one other resource constraint is not violated by releasing allocation units and releasing the allocation units scheduled for a user or service only if the other resource constraint is not violated by such release.

32. (New) The method according to claim 31, wherein the step of determining the violation of at least one other constraint comprises determining a quality of service parameter such as a maximum allowable delay or long-term data rate.

33. (New) The method according to claim 23, further comprising the step of rescheduling the released allocation units to another user or service for that particular frame.

34. (New) The method according to claim 23, further comprising the step of signaling to the user the result of the

scheduling algorithm, in particular whether allocation units are released.

35. (New) The method according to claim 34, wherein the signaling is transmitted in an associated control channel.

36. (New) The method according to claim 23, wherein the steps of checking and releasing allocation units for all users or services by the scheduling algorithm are carried out in a time sequential manner.

37. (New) A scheduler in a mobile communication system for performing a scheduling algorithm with minimum resource scheduling, comprising:

a scheduling unit for scheduling allocation units for a user or service in a scheduling frame,

a checking unit for checking whether the allocation units scheduled for a user or service in a particular scheduling frame meet at least one resource constraint, and

a releasing unit for releasing the allocation units scheduled for a user or service for that particular scheduling

frame based on the result provided by the means for checking the resource constraint.

38. (New) The scheduler according to claim 37, further comprising a determining unit for determining whether at least one other resource constraint is not violated by releasing allocation units and releasing the allocation units scheduled for a user or service only if the other resource constraint is not violated by such release.

39. (New) The scheduler according to claim 37, further comprising a signaling unit for signaling to the user the result of the scheduling algorithm, in particular whether allocation units are released.

40. (New) The scheduler according to claim 37, further comprising a scheduling unit for rescheduling the released allocation units to another user or service for that particular frame.

41. (New) A base station comprising a scheduler according to claim 37.

42. (New) A mobile terminal comprising a scheduler according to claim 37.

43. (New) A mobile communication system comprising a transmitter and a scheduler according to claim 37 and a receiver, the receiver further comprising a processing unit for processing information on the result of the scheduling algorithm and a control unit for shutting down at least part of its receiving circuitry for the duration of a scheduling frame for which no allocation units are scheduled to the receiver.

44. (New) A mobile communication system comprising a scheduler according to claim 37 and a transmitter, the transmitter further comprising a processing unit for processing information on the result of the scheduling algorithm and a control unit for shutting down at least part of its transmitting circuitry for the duration of a scheduling frame for which no allocation units are scheduled to the transmitter.

45. (New) The scheduler according to claim 38, further comprising a signaling unit for signaling to the user the result

of the scheduling algorithm, in particular whether allocation units are released.